

REMARKS/ARGUMENTS

Claims 1, 3-7, 9-19, 21-23, 25-27, 29-34, 36-41 and 43-53 were previously pending. As noted above, no claims have been amended, no claims have been canceled, and no claims have been added. Thus, claims 1, 3-7, 9-19, 21-23, 25-27, 29-34, 36-41 and 43-53 remain pending in this application.

Applicants note with appreciation the Examiner's statement that claims 12-13, 27, 29, 31-32, 40 and 44-45 are objected to and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants respectfully request reconsideration of this application based on the following remarks.

Claim Rejections – 35 USC § 102

Claims 1, 3-4, 6-7, 14-15, 17-20, 22-23, 25-26, 30, 33-34, 36-37, 39, 41, 43 and 46-53 are rejected under 35 USC § 102(e) as being anticipated by Lipsanen et al. (US Published Patent Appln. No. 2002/0059614). Applicants respectfully traverse this rejection.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Claim 1 recites, in part “***a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link***, wherein the bidirectional wireless link is characterized by a second wireless principle, and wherein the wireless broadcast link and the bidirectional wireless link are separate physical channels, and wherein the first and second wireless principles are different from each other, and wherein the first wireless receiver and the second receiver are both part of the same receiving device.” (Emphasis added).

The Office Action asserts the claimed subject matter is taught by Lipsanen, and cites Fig. 2, element 112 and paragraph [0040] as support. The cited paragraph reads as follows:

“[0040] FIG. 2 depicts the presently preferred embodiment of a MMT 100 and its corresponding communications environment 200. ***Media is provided by a service provider 202. Media can include, for example, data services, decryption***

keys for smart cards, digital TV, digital audio, or other digital data. The media can be provided on the request by user or under a "broadcast" principle. In the presently preferred embodiment specific requests for data are handled via a mobile station 204 equipped with an LPRF transceiver. *The requests are transmitted via an LPRF link* from the MMT 100 to the mobile station 204. The mobile station 204 relays the request via a wireless operator 206. The service provider 202 capable of providing the requested data receives the request from the wireless operator 206. The media content is routed from the service provider 202, via DVB-scrumbling 210, to a DVB Network operator 212. The DVB Network operator 212 multiplexes the media content with free to air TV Services 214 and transports the data over a DVB broadcast channel 208."

Contrary to the assertion in the Office Action, the above cited text neither discloses nor suggests "a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link," as recited in the claimed subject matter.

Initially, it is noted that the claimed subject matter recites a second receiver being providing with control data. By contrast, the cited reference discloses a service provider providing media, over the broadcast link, which includes "decryption keys" within the media.

Further, the claimed subject matter recites that the second receiver is provided the control data, while the cited reference discloses that requests are transmitted by a second transceiver.

In other words, the cited reference discloses a system in which requests may be transmitted using a second transceiver to access broadcast content over a first receiver, while the claimed subject matter recites use of a second receiver to receive control data to be able to access content received using a first receiver. As such, the cited reference neither discloses nor suggests the claimed subject matter.

Independent claims 17, 34 and 47 recite similar subject matter and therefore are neither disclosed nor suggested by Lipsanen for at least the same reasons as discussed above.

Further, claims 3-4, 6-7, 14-15, 18-20, 22-23, 25-26, 30, 33, 36-37, 39, 41, 43, 46, and 48-53 depend either directly or indirectly from one of independent claims 1, 17, 34 or 47 and are allowable for at least the same reasons as discussed above.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1, 3-4, 6-7, 14-15, 17-20, 22-23, 25-26, 30, 33-34, 36-37, 39, 41, 43 and 46-53 under 35 USC § 102(e) as being anticipated by Lipsanen.

Claim Rejections – 35 USC § 103

Claims 5 and 38 are rejected under 35 USC § 103(a) as being obvious over Lipsanen et al. (US Published Patent Appln. No. 2002/0059614) in view of Tjong et al (US Published Patent Appln. No. 2003/0045316). Applicants respectfully traverse these rejections for at least the followings reasons.

To establish a *prima facie* case of obviousness, all of the claimed features must be taught or suggested by the references and there must be some suggestion or motivation, in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. See, e.g., *KSR International Co., v. Teleflex Inc.*, No. 04-1350, (US, April 30, 2007).

As noted above, independent claims 1 and 34 are neither disclosed nor suggested by Lipsanen. The addition of Tjong fails to cure these deficiencies, as Tjong is silent with respect to the deficient subject matter. Specifically, Tjong is silent at least with respect to a second receiver being provided with control data associated with the multimedia stream over a bidirectional wireless link, as is recited in the claimed subject matter. As such, any combination of Lipsanen and Tjong also fails to disclose or suggest claims 5 and 38 for at least the same reasons as discussed above, as claims 5 and 38 depend from independent claims 1 and 34 respectfully.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 5 and 38 under 35 USC § 103(a) as being obvious over Lipsanen in view of Tjong.

Allowable Subject Matter

Applicants note with appreciation the Examiner's statement that claims 12-13, 27, 29, 31-32, 40 and 44-45 are objected to and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As noted above, independent claims 1, 17, 34 and 47 recite subject matter that is neither disclosed nor suggested by any of the cited references.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the objection to claims 12-13, 27, 29, 31-32, 40 and 44-45.

CONCLUSION

In light of these remarks, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

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Respectfully submitted,

By: 
Gerald P. Joyce III, Reg. No. 37,648
Direct: 858.845.2204

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502